

Notice of Allowability

Application No.

10/617,022

Applicant(s)

ANDO, KOICHI

Examiner

Houshang Safaipoor

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on October 16, 2007.
2. ☒ The allowed claim(s) is/are 1-8 and 10-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of issue fee.

Authorization to amend the claims was given in telephone interview with Phillip Articola (Registration No. 38,819) on October 26, 2007.

2. In the Claims:

Claim 12. (Currently Amended) A method for scanning a document comprising a plurality of pages, comprising:

scanning a first page in the document at a one of a color speed and a monochromatic speed; detecting the scanned first page with a 4-line CCD sensor having a monochromatic sensor, a red sensor, a green sensor and a blue sensor; and

generating read signals from each of the sensors of the 4-line CCD sensor;

determining if the first page is color or monochrome based on a result of the scanning;

accepting only the read signal of the monochromatic sensor if the first page is determined to be monochrome; and

accepting only the read signals of two or more of the red sensor, the green sensor and the blue sensor if the first page is determined to be color[.];

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scanning second through nth pages with the 4-line CCD sensor, n being an integer greater than two; and

maintaining a count of the number of scanned pages that are color and the number of scanned pages that are monochrome, and at each subsequent page of the document to be scanned, initially scanning that subsequent page at the monochrome scanning speed or the color scanning speed when the majority of the scanned pages are monochrome or color, respectively.



Houhang Safaipoor
Patent Examiner

Reasons for Allowance

1. Claim 9 is canceled.
2. Claims 1-8 and 10-20 are allowed.
3. This is examiner's statement of reasons for allowance.

Claims 1-8 and 10-20 are allowed because the prior art, either singularly or in combination, does not teach or suggest "...maintaining a count of the number of scanned pages that are color and the number of scanned pages that are monochrome, and at each subsequent page of the document to be scanned, initially scanning that subsequent page at the monochrome scanning speed or the color scanning speed when the majority of the scanned pages are monochrome or color, respectively."

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. ***Contact Information***

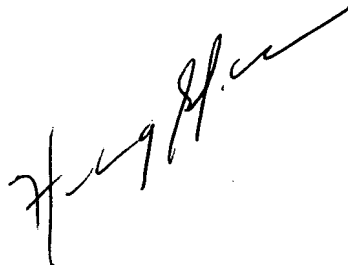
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 3:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore whose telephone number is (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
October 27, 2007

A handwritten signature in black ink, appearing to read 'H. Safaipoor', is written diagonally across the page.